

Rec'd PCT/PTO

01 FEB 2005

10/500705

Rev. 1-1993

Effective March 1993

DECLARATION AND POWER OF ATTORNEY FOR U.S. PATENT APPLICATION

☐ Original ☐ Supplemental ☐ Substantive ☒ PCT ☐ DESIGN

As a below named inventor, I hereby declare that my residence, post office address and citizenship are as stated below next to my name; that I verify believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Title: EXCLUSIVE PRESSURE WAVE CONCENTRATOR

of which is described and claimed in:

☐ the attached specification, or
☐ the specification in application Serial No. _____, filed _____, and with amendments through _____, or
☒ the specification in International Application No. PCT/ZA03/00211, filed December 17, 2002, and as amended on _____ (if applicable).

I hereby state that I have reviewed and understand the content of the above identified specification, including the claims, as amended by any amendment(s) referred to above.

I acknowledge my duty to disclose to the Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I hereby claim priority benefit under Title 35, United States Code, §119 (and §172 if this application is for a Design) of any application(s) for patent or inventor's certificate listed below and have also identified below any application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

COUNTRY	APPLICATION NO.	DATE OF FILING	PRIORITY CLAIMED
South Africa	2001/5467	January 3, 2002	YES
South Africa	2001/5465	January 3, 2002	YES
South Africa	2001/5463	January 3, 2002	YES
South Africa	2001/5462	January 3, 2002	YES
South Africa	2001/5461	January 3, 2002	YES
South Africa	2001/5458	January 3, 2002	YES

I hereby claim the benefit under Title 35, United States Code §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code §112, I acknowledge the duty to disclose information material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

BEST AVAILABLE COPY

APPLICATION SERIAL NO.	U.S. FILING DATE	STATUS: PATENTED, PENDING, ABANDONED

And I hereby appoint Michael R. Davis, Reg. No. 25,134; Matthew M. Jacob, Reg. No. 25,134; Warren M. Clunk, Jr., Reg. No. 33,367; Nils Pedersen, Reg. No. 33,145; Charles R. Watts, Reg. No. 33,142; Michael E. Huppert, Reg. No. 40,268; and Jeffrey R. Filipek, Reg. No. 41,471, who together constitute the firm of WENDBROTH, LIND & PONACK, L.L.P., as well as any other attorneys and agents associated with Counselor No. 000513, to prosecute this application and to transact all business in the U.S. Patent and Trademark Office concerned therewith.

I hereby authorize the U.S. attorneys and agents named herein to accept and follow instructions from McCullum, Rademeyer & Freimond as to any action to be taken in the U.S. Patent and Trademark Office regarding this application without direct communication between the U.S. attorneys and myself. In the event of a change in the persons from whom instructions may be taken, the U.S. attorneys named herein will be so notified by me.

Direct Correspondence to:		Direct Telephone Calls to:	
<p>CUSTOMER NO. 000513</p>		<p>WENDBROTH, LIND & PONACK, L.L.P. 2053 "K" Street, N.W., Suite 100 Washington, D.C. 20006-1001</p> <p>Phone (202) 751-8200 Fax (202) 723-8250</p>	
Full Name of First Inventor	FAMILY NAME VAN DYK	FIRST GIVEN NAME Andre	SECOND GIVEN NAME
Residence & Citizenship	CITY Pretoria	STATE OR COUNTRY South Africa	COUNTRY OF CITIZENSHIP South Africa
Post Office Address	ADDRESS 225 Elard Street, Wlorda Park, Centurion, 0002 Pretoria, South Africa		
Full Name of Second Inventor	FAMILY NAME	FIRST GIVEN NAME	SECOND GIVEN NAME
Residence & Citizenship	CITY	STATE OR COUNTRY	COUNTRY OF CITIZENSHIP
Post Office Address	ADDRESS	CITY	STATE OR COUNTRY CITY CODE

I further declare that all statements made herein of my own knowledge are true, and that all statements on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Further, as noted in the attached petition, due to the sole inventor's refusal to sign the Declaration, the assignee of the application, NXCO International Limited, is acting as the 37 C.F.R. 1.47(b) applicant. Acting as the authorized agent of NXCO International Limited is Edward Walenty Toma, the General Manager of NXCO International Limited, who is signing the Declaration on behalf of the non-signing inventor.

[Handwritten signature]

JAN-24-2005 24 JAN: 23:43

Full Name of Person Signing on Behalf of Non-Signing Inventor	FAMILY NAME TOTA	FIRST GIVEN NAME Edward	SECOND GIVEN NAME Walcoty
Title	General Manager of NXCO International Limited		
Post Office Address	Saffrey Square, Suite 205, Bank Lane, Nassau, Bahamas BSX		

37 CFR 1.47(b)
Applicant Signing
on Behalf of Non-
Signing Inventor


Edward Walcoty TOTA

Date 24 January 2005

The above application may be more particularly identified as follows:

U.S. Application Serial No. 10/500,705 Filing Date July 2, 2004

Applicant Reference Number P20317/MAJR Any Docket No. 2004-1032A

Title of Invention EXPLOSIVE PRESSURE WAVE CONCENTRATOR

McCALLUM, RADEMEYER & FREIMOND
REF: INT.1075

ASSIGNMENT OF PATENT APPLICATION

THIS DEED WITNESSES:

(1) THAT:

- (a) THE ASSIGNOR(S) is/are VAN DYK, Andre of 223 Eland Street, Wierda Park, Centurion, Pretoria, 0002, South Africa
- (b) THE ASSIGNEE(S) is/are NXCO INTERNATIONAL LIMITED of Saffrey Square, Suite 205, Bank Lane, Nassau, Bahamas.
- (c) THE INVENTION is an invention entitled
Pressure
EXPLOSIVE ~~SHOCK~~WAVE CONCENTRATOR
- (d) THE PATENT APPLICATION is International Patent Application (No. PCT/ZA02/00211) (now allocated) in respect of THE INVENTION:

(2) THAT THE ASSIGNOR(S) hereby assign(s) to the ASSIGNEE(S), in respect of all countries:

- (a) THE PATENT APPLICATION,
- (b) THE INVENTION, and
- (c) the right to apply for patents in respect of THE INVENTION

the assignment taking effect on the filing date of the PATENT APPLICATION

(3) AND THAT THE ASSIGNOR(S) hereby undertake(s) to execute all documents that may be required to make this assignment effective, to effect registration of THE PATENT APPLICATION in the name of the ASSIGNEE(S), and to enable THE ASSIGNEE(S) to apply for patents anywhere based on the PATENT APPLICATION, all at the expense of THE ASSIGNEE(S).

Signed by THE ASSIGNOR(S) at Centurion
this 5th day of December 2002.

(Witnessed)

(Witnessed)

ANDRE VAN DYK

BEST AVAILABLE COPY